

## **CITY OF HOLLISTER - AGENDA**

for **City Council Meeting**

of **February 6, 2006** at **6:30 p.m.** in the City Council Chambers, City Hall, 375 Fifth Street, Hollister

### **NOTICE TO PUBLIC**

Persons who wish to address the City Council must complete a Speakers Card and give it to the Clerk prior to addressing the City Council. Those who wish to address the City Council on an agenda item will be heard when the presiding officer calls for comments from the audience. City related items not on the agenda will be heard under the Public Input section, Section B, of the agenda. Following recognition persons desiring to speak are requested to advance to the podium and state their name and address. After hearing audience comments, the public portion of the meeting will be closed and the matter brought to the City Council for discussion and action.

Requests to make presentations to the City Council should be submitted to the City Clerk's Office at least ten days preceding the City Council meeting. It is customary for the staff members to review such matters prior to formal presentation in order that the City Council may have the benefit of all available data.

All matters listed under Consent Resolution will be enacted by one motion authorizing actions indicated for those items so designated. There will be no separate discussion of these items unless requested by a member of the City Council, a staff member, or a citizen.

**\*\* 6:00 p.m. - Closed Session -- See Attached Agenda.**

### **Call to Order**

### **Pledge of Allegiance**

**Roll Call:** Mayor Robert Scattini, City Council Members Doug Emerson, Pauline Valdivia, Brad Pike, and Monica Johnson, City Manager Clint Quilter, City Attorney Elaine Cass, and City Clerk Geri Johnson.

### **Verification of Agenda Posting**

**PROCLAMATION:** February 13 – 16, 2006, LULAC Week in the City of Hollister

### **6:00 p.m. - CLOSED SESSION AGENDA:**

- A. Public comment (limited to any item listed on Closed Session agenda).
- B. A Closed Session will be held by the City Council of the City of Hollister to discuss all or some of the following matters:

1. Conference with Legal Counsel - Anticipated Litigation - Significant Exposure to Litigation pursuant to Government Code Section 54956.9(b) - (3 potential cases will be discussed).
2. Conference with Legal Counsel - Anticipated Litigation - Initiation of Litigation pursuant to Government Code Section 54956.9(c) - (2 potential cases will be discussed).
3. Conference with Legal Counsel - Pending Litigation - Pursuant to Government Code Section 54956.9(a) –
  - a. RWQCB – Cease and Desist Order No. R3-2002-0105
  - b. City of Hollister v. Monterey Insurance Company, California Capital Insurance Company, Case Number M65916
  - c. Nicholson v. Hollister, Case No. CU-04-00063

## **6:30 p.m. - AGENDA**

### **A. CONSENT RESOLUTION (February 6, 2006):**

All items listed under consent Resolution will be enacted by one motion authorizing actions indicated for those items so designated. There will be no separate discussion of these items unless requested by a member of the City Council, a Staff member, or a Citizen.

#### **Consent Items are Numbers A1, A2, A3, A4, A5, A6 A7 and A8**

A1. Minutes of the City Council Meeting of January 17, 2006.

Approve Minutes of the City Council Meeting of January 17, 2006, as submitted.

A2. Warrant Register(s).

The City Council will ratify and approve the following Warrant Register(s) for the General-Special-Enterprise-Assessment Funds dated:

- January 13, 2006, in the amount of \$ 406,750.34.
- January 20, 2006, in the amount of \$ 359,707.87.

A3. Claim Against the City – Mendoza

A claim against the City has been filed by Roberto Mendoza. Staff recommends denial of this claim and seeks authorization to send the Notice of Rejection to the claimant.

**A4. Claim Against the City – Burgett**

A claim against the City has been filed by Maria Burgett. Staff recommends denial of this claim and seeks authorization to send the Notice of Rejection to the claimant.

**A5. Resolution No. 2006-10, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER RECLASSIFYING THE POSITION OF ANIMAL CONTROL OFFICER ASSISTANT TO ANIMAL CONTROL OFFICER.**

This resolution will reclassify the Animal Control Officer Assistant position to Animal Control Officer.

**A6. Community Services Department seasonal staffing request.**

The City Council will authorize the recruitment and hiring of seasonal staff for the Recreation division of the Community Services Department.

**A7. Resolution No. 2006-11, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING AN EMPLOYMENT AGREEMENT WITH STEVE WITTRY FOR ENGINEERING MANAGER.**

This resolution will approve and authorize an Employment Agreement with Steve Wittry for the position of Engineering Manager.

**A8. Resolution No. 2006-12, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING AN EMPLOYMENT AGREEMENT WITH WILLIAM AVERA FOR DEVELOPMENT SERVICES DIRECTOR.**

This resolution will approve and authorize an Employment Agreement with William Avera as Development Services Director.

**B. PETITIONS, REMONSTRANCES, AND COMMUNICATIONS:**

**1. PUBLIC INPUT.**

This is the time for anyone in the audience to speak on any item not on the agenda and within the subject matter jurisdiction of the council. When the City Clerk calls your name, please come to the podium, state your name and address for the record, and speak to the Council. Each speaker will be limited to two (2) minutes. Please note that state law prohibits the council from discussing or taking action on any item not on the agenda.

**C. PUBLIC HEARINGS (On or After 6:30 p.m.)**

None.

**D. INTRODUCTION AND ADOPTION OF RESOLUTIONS AND ORDINANCES:**

1. Resolution No. 2006-13, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER AWARDED THE CONTRACT TO TAURUS ROOF SERVICES, INC. DBA WATERPROOFING ASSOCIATES FOR THE CITY OF HOLLISTER ELKS LODGE ROOF REPLACEMENT PROJECT, CIP #2509 and

Resolution No. 2006-14, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER AUTHORIZING A SUPPLEMENTAL APPROPRIATION OF FUND 601 FOR THE ELKS LODGE ROOF REPLACEMENT PROJECT, CIP #2509, FISCAL YEAR 2005/2006.

These resolutions will award the contract to Taurus Roof Services, Inc. dba Waterproofing Associates of Mountain View for the Elks Lodge Roof Replacement Project and will authorize the supplemental appropriation of fund 601 for the Elks Lodge Roof Replacement Project.

2. Resolution No. 2006-15, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER ADOPTING A POLICY ALLOWING THE DONATION OF LEAVE TIME.

This Resolution will establish a policy to allow employees to donate paid leave hours to other City of Hollister employees.

3. Resolution No. 2006-16, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE ORDER FOR PAYMENT TO QUINN POWER SYSTEMS FOR THE PURCHASE OF THREE PORTABLE ELECTRIC GENERATORS.

This Resolution will approve the purchase of three new electric generators for sewer lift station sites that currently have no alternative electrical source in the event of a normal power failure.

4. Resolution No. 2006-17, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING THE DISPOSITION OF A CUMMINS/ONAN DIESEL GENERATOR AND AUTHORIZING THE SALE OF EQUIPMENT TO QUINN ENGINE COMPANY OF SALINAS, CA.

This Resolution will declare a City-owned diesel generator as surplus equipment and will authorize the sale of said equipment to Quinn Engine Company.

5. Resolution No. 2006-18, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE ORDER FOR PAYMENT TO EVERGREEN LANDSCAPING AND CONSTRUCTION COMPANY FOR THE COMPLETION OF NEW MATERIAL STORAGE BUNKERS AT THE CITY OF HOLLISTER SERVICE CENTER.

This Resolution will approve the completion of the material storage bunker project.

**E. REPORTS OF CITY COUNCIL, OFFICERS, BOARDS, AND COMMITTEES:**

1. Reports from City Council Committees.

Receive oral reports from members regarding the activities of various Ad hoc and Standing City Council Committees.

2. Reports from City Council, City Manager, City Attorney, and Staff.

Receive oral reports from the City Council, City Manager Quilter, City Attorney Cass, City Clerk Johnson, and other Staff as applicable.

3. Water, Wastewater Issues, and a Report on Schedule and Cost Estimates for Wastewater Treatment Project.

The City Council will receive an oral and written status report from City Manager Quilter.

4. Hollister Municipal Airport status report.

The City Council will receive a status report on the Hollister Municipal Airport from Airport Manager Gere.

**F. UNFINISHED BUSINESS:**

1. Resolution No. 2006-19, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER DETERMINING THAT NO INDEPENDENCE MOTORCYCLE RALLY SHALL TAKE PLACE ON PUBLIC PROPERTY IN 2006.

This resolution will set policy that no Independence Motorcycle Rally shall take place on public property in 2006.

**G. NEW BUSINESS:**

1. Request by the Hollister Downtown Association for reduction of fees for use of the Veteran's Memorial Building.

The City Council will consider the request and direct staff to implement Council direction.

2. Report on Planning, Parks and Recreation, and Airport Commissions.

The City Council will discuss the report and direct staff as appropriate.

**H. MISCELLANEOUS:**

None.

**ADJOURNMENT:**

Next Regular City Council Meeting is scheduled for February 21, 2006, at 6:30 p.m.

*In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk's Office at (831) 636-4304. Notification of 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting [28 CFR 35.102-35.104 ADA Title II].*